

REMARKS/ARGUMENTS

Claims 1, 3 – 7 and 9 – 10 are now in the case.

The drawings were objected to for failing to include the described referenced number 10. Correction has been made, no new matter has been added.

Claims 1 and 6 – 7 were rejected under 35 U.S.C. 102 as anticipated by Basso. These claims have been amended. Basso discloses a golf tee where the tee portion includes a corrugation 46. The tee portion of Basso is over the head portion of the standard tee 20. The portion 32 that holds the ball is substantially larger than the standard tee because it fits over the head portion of the tee and the tee is not inserted into a sleeve as disclosed and claimed in the independent claims. The larger diameter ball seat will cause more drag and friction.

Claim 1 calls for the sleeve to be flexible and to receive the stem portion of the golf tee. This claimed difference is important because it allows the golfer to continue to use the standard tee they are use to. The standard tee is very popular and accepted in all golf associations. An advantage of the current device as claimed is that it allows the standard tee to be inserted into the sleeve. Thus if the golfer breaks the tee portion 40 of the current device, the golfer, the people he is golfing with, and the pro shop at the golf course where he is playing probably already have a bag full of inexpensive or even free replacements for the tee portion. This is important in gaining acceptance of the product in the market. Basso uses a non-standard tee portion that many golfers will not be comfortable hitting off of. Further, Basso requires a complex tee portion anchor system because of the likelihood of the tee portion, which is not easily replaced, becoming lost. This four-piece double tee is not going to be acceptable to the market.

Basso also fails to show a crimp. Basso shows a corrugation. The difference is in use and in the ease of manufacture. A crimp as shown in applicant's Figures 1 and 2 can be created by flattening the sleeve 20 walls. Basso, in Figure 4, shows a sleeve wall that is corrugated but the walls simply show a reduced diameter, the wall thickness is constant. The corrugation of Basso would require a molded operation and because the wall thickness is constant, would not provide as much flexibility as a crimp.

Claims 1 – 10 were rejected under 35 U.S.C. 103 as obvious over Helleu in view of Basso. Helleu, like Basso discloses a flexible golf tee that requires a special head section 2 to hold the ball. As noted earlier, the current invention allows the golfer to use a standard golf tee, which the golfer likely already has. Neither Basso nor Helleu teach a flexible crimped sleeve adapted to receive a standard golf tee stem as disclosed and claimed.

As noted earlier, Basso teaches the flexible corrugation in the tee member, not in the ground engaging pointed portion. Thus, even if Helleu were modified by the flexible corrugation in the tee member teaching of Basso, the result is still not the invention as claimed, and the result would not have the benefit of the current invention of working with the standard tee.

Neither Basso or Helleu teach a crimp as disclosed and claimed. A crimp can be formed in a sleeve by deforming the wall of the sleeve as shown in Figures 1 and 2. A crimp will narrow the sleeve 20 as shown in Figure 1 while flattening and pinching the sleeve as shown in Figure 2. Basso shows walls formed with reduced diameter portions, not crimps. The performance and manufacturing steps would not be the same.

For these reasons, it is felt that all claims are now in condition for allowance.

CONCLUSION

Based on the remarks above it is felt that the remaining claims are now in condition for allowance.

In the event the Examiner wishes to discuss any aspect of this response, please contact the undersigned at the telephone number identified below.

Respectfully submitted,

by: 

Gary K. Price, #45,024

BOWERS HARRISON, LLP
GARY K. PRICE, ESQ
25 N W RIVERSIDE DRIVE
P O BOX 1287
EVANSVILLE, IN 47706-1287
TELEPHONE: (812) 426-1231
FACSIMILE: (812) 464-367

M:\DOCS\PUBLIC\63033\MISC\279314.doc
11913.001

In the Drawings:

Enter the attached corrected drawing sheet containing the corrected Fig. 1. Note the version showing the changes, as recommended by Examiner, are marked in red.

ANNOTATED MARKED-UP
DRAWING

FIG. 1

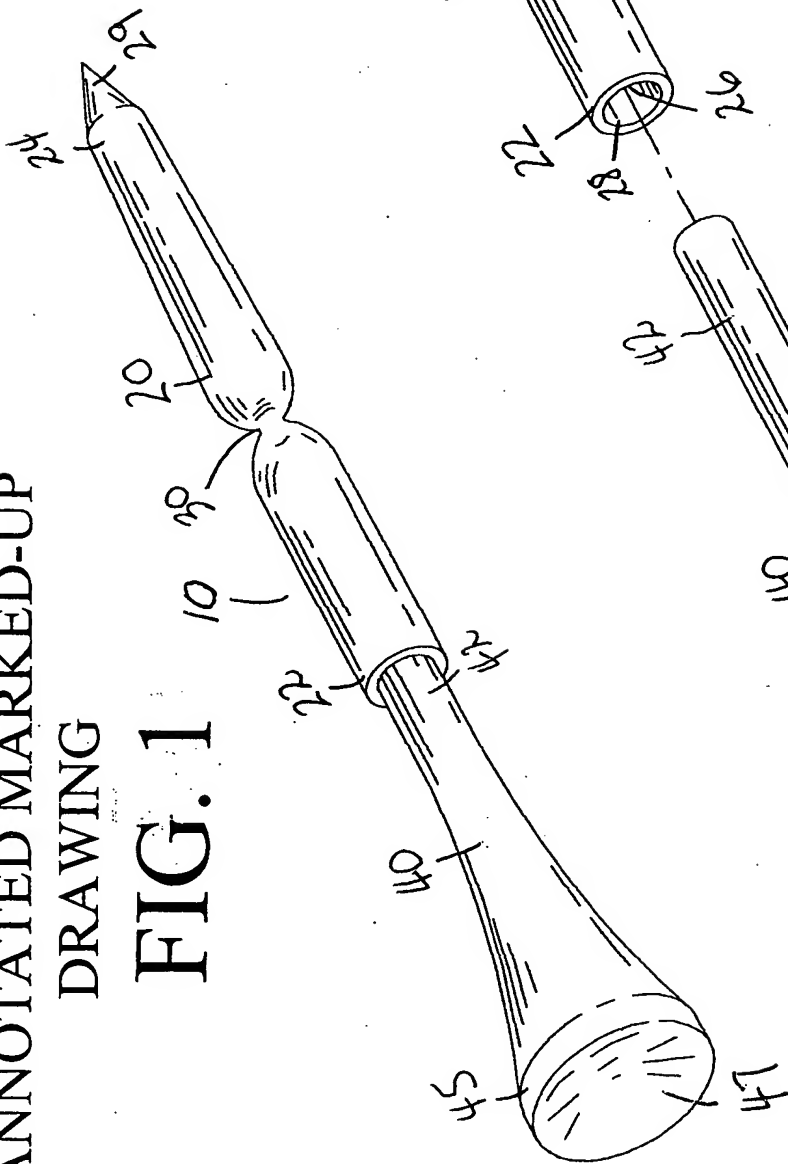


FIG. 2

